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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,746	11/17/2003	Thomas E. Baker	Baker 1-11-13	5519

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EXAMINER

KING, JUSTIN

ART UNIT PAPER NUMBER

2111

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/715,746

Applicant(s)

BAKER ET AL.

Examiner

Justin I. King

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 and 5-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 6 and 15-18 is/are rejected.
- 7) ☒ Claim(s) 7-14 and 19-21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. The indicated allowability of claims 1-3, 5-6, and 15-18 is withdrawn in view of the newly discovered references. Rejections based on the newly cited reference follow.
2. Claim 22 is allowed.
3. Claims 7-14 and 19-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter:

Referring to claims 7-14 and 19-21: The prior arts on record do not explicitly disclose the claimed operations with the particular claimed message structure.

Referring to claim 22: The prior arts on record do not explicitly disclose a I2C bus packet including a indicator bit for interpreting/determining the format of the internal address.

### ***Drawings***

5. The drawings are objected to because figure 4 structure 108 shows "5 bits" while the Specification states "8 bits" on page 5, lines 25-27. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing

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figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. Claims 1-3 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art in view of Crawford et al. (U.S. Patent No. 4,715,031).

Referring to claim 1: The admitted prior art discloses addressing at least one slave device (Specification, page 1, lines 14-29, page 2, lines 1-14), providing a command code to said addressed slave device; interpreting a supplemental address contained in said command code; and, determining an internal address for said slave device using said supplemental address (Specification, page 2, 2<sup>nd</sup> paragraph, additional data containing additional addressing information). The admitted prior art does not explicitly disclose a first subset of command code bits functioning as an indicator of a type of supplementary address.

Crawford discloses a wired-AND/I2C bus (figure 2). Crawford discloses the bus message format including a priority code, a type control code, and one of the function address or receiver address (figure 3). Crawford teaches one to specify different types of addresses with the types control code in the message in order to either communicate with one specific device or to broadcast to every device (column 7, 2<sup>nd</sup> paragraph). Hence, it would have been obvious to one having ordinary skill in the computer art at the time Applicant made the invention to adapt Crawford's teaching onto the admitted prior art because Crawford teaches one to avoid additional field for distinguishing the types of the functions by utilizing the address field.

Referring to claim 2: The admitted prior art discloses that the slave device comprises at least one internal device having an internal address; and wherein said interpreting step comprises using said supplemental address to determine at least part of said internal address (Specification, page 2, 2<sup>nd</sup> paragraph).

Referring to claim 3: The admitted prior art discloses that the communicating is selected from the group consisting of writing data to a location within said slave device and reading data from a location within said slave device (Specification, page 1, line 28).

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Referring to claim 15: The admitted prior art discloses generating an array of addressing parameters comprising an address of said slave device, an internal address within said slave device (Specification, page 2, 2<sup>nd</sup> paragraph), and transmitting said array over an I2C bus. The admitted prior art does not disclose one indicator bit indicating the format of the internal address portion of the array.

Crawford discloses a wired-AND/I2C bus (figure 2). Crawford discloses the bus message format including a priority code, a type control code, and one of the function address or receiver address (figure 3). Crawford teaches one to specify different format/types of addresses with the types control code in the message in order to either communicate with one specific device or to broadcast to every device (column 7, 2<sup>nd</sup> paragraph). Hence, it would have been obvious to one having ordinary skill in the computer art at the time Applicant made the invention to adapt Crawford's teaching onto the admitted prior art because Crawford teaches one to avoid additional field for distinguishing the types of the functions by utilizing the address field.

9. Claims 5-6 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art in view of Crawford, and in further view of designer's choice.

Referring to claims 5-6 and 16-17: The admitted prior art discloses that the supplemental address is a known practice. Although neither the admitted prior art nor Crawford discloses the message segment including an indicator following the supplemental address as claimed, such limitation are merely a matter of design choice and would have been obvious. The admitted prior art teaches supplemental address, and Crawford teaches a type indicator to distinguish the address for different functions. The limitations in claim 5 do not define a patentably distinct

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invention over that in prior arts since both the invention as a whole and combined prior arts are directed to a message format including the supplementary address and a type indicator. The particular sequence to include the supplementary address and the type indicator is inconsequential for the invention as a whole and presents no new or unexpected results, so long as the message contains the type indicator and the supplementary address. Therefore, to have the particular sequence or number of bits to store such information as claimed would have been a matter of obvious design choice to one of ordinary skill in the computer art.

Referring to claim 18: The admitted prior art discloses that the communicating is selected from the group consisting of writing data to a location within said slave device and reading data from a location within said slave device (Specification, page 1, line 28).

### *Conclusion*

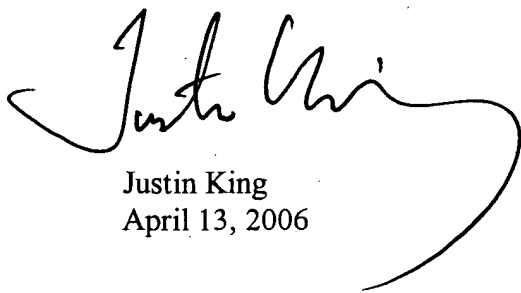
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin I. King whose telephone number is 571-272-3628. The examiner can normally be reached on Monday through Friday, 9:00 am to 5:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on 571-272-7079 or on the central telephone number, (571) 272-2100. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished


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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lastly, paper copies of cited U.S. patents and U.S. patent application publications will cease to be mailed to applicants with Office actions as of June 2004. Paper copies of foreign patents and non-patent literature will continue to be included with office actions. These cited U.S. patents and patent application publications are available for download via the Office's PAIR. As an alternate source, all U.S. patents and patent application publications are available on the USPTO web site ([www.uspto.gov](http://www.uspto.gov)), from the Office of Public Records and from commercial sources. Applicants are referred to the Electronic Business Center (EBC) at <http://www.uspto.gov/ebc/index.html> or 1-866-217-9197 for information on this policy. Requests to restart a period for response due to a missing U.S. patent or patent application publications will not be granted.



Justin King  
April 13, 2006



JOHN R. COTTINGHAM  
PRIMARY EXAMINER